

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

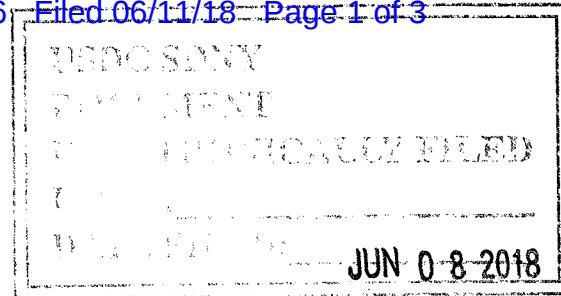
Samuel Prabir, et al.,

Plaintiffs,

—v—

Bukhara Indian Cuisine, Inc., et al.,

Defendants.



17-CV-3704 (AJN)

ORDER OF
ATTACHMENT

ALISON J. NATHAN, District Judge:

On February 16, 2018, Plaintiffs moved to attach certain assets of Defendants pursuant to Federal Rule of Civil Procedure 64 and N.Y. C.P.L.R. § 6212. *See* Dkt. No. 45. The Court referred the motion to Magistrate Judge Henry B. Pitman who issued a Report and Recommendation (“R&R”) on May 17, 2018, which recommended that the Court grant Plaintiffs’ motion for prejudgment attachment against all Defendants in the amount of \$515,819.00. Dkt. No. 84.

By order entered on June 5, 2018, having received no objections to Judge Pitman’s R&R from either party, the Court adopted the R&R in its entirety and directed the Clerk to issue a pre-judgment order of attachment in the amount of \$515,819.00. Dkt. No. 102.

NOW, having adopted Judge Pitman’s R&R in its entirety,

IT IS HEREBY ORDERED that Plaintiffs’ Motion for an order of prejudgment Attachment against all Defendants in the amount of \$515,819.00 is **GRANTED**.

IT IS FURTHER ORDERED that the United States Marshal of the Southern District of New York, or any person appointed to act in his place and stead, shall levy, at any time before

final judgment, upon service of this Order of Attachment, by refrain from taking into actual custody, the following property:

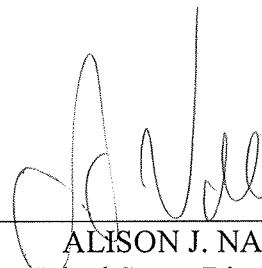
- (a) Any funds held in the account of Basera Indian Cuisine Inc. at TD Bank under account number 7923139187;
- (b) Any other property in the State of New York, whether real or personal, tangible or intangible, presently existing or hereafter arising, which could be assigned or transferred as provided by N.Y. C.P.L.R. § 5201, in which any Defendant (Basera Indian Cuisine, Inc., Bukhara Indian Cuisine, Inc., Anil Kumar, or Renu Kumar) has an interest, to the extent such interest, and upon any debts in which any Defendant (Basera Indian Cuisine, Inc., Bukhara Indian Cuisine, Inc., Anil Kumar, or Renu Kumar) claims a right, as will satisfy the sum of \$515,819.00.

IT IS FURTHER ORDERED that Plaintiffs shall post an undertaking in the amount of \$2,000 within seven days of the date of this Order.

IT IS FURTHER ORDERED that having been served with this Order, pursuant to N.Y. C.P.L.R. § 6219, garnishees are directed to acknowledge in writing to the U.S. Marshal, also served on counsel for Plaintiffs – Joseph & Kirschenbaum, LLP, 32 Broadway, Suite 601, New York, NY 10004 – that the debt and property attached herein will be held on behalf of the U.S. Marshal such that you, your agents, subdivisions, servants, officers, employees, and attorneys, and all persons in possession of the property and/or debts described above, and all persons acting in concert or participation with the foregoing, and all persons receiving actual notice of this Order of Attachment, will refrain from directly or indirectly transferring, or ordering, directing, or requesting or assisting in the transfer, or in any other way affecting the value of, any such property or debt.

SO ORDERED.

Dated: June 8, 2018
New York, New York



ALISON J. NATHAN
United States District Judge